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9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA  
11

12 CALEB L. MCGILLVARY,

13 Plaintiff,

14 vs.

15 NETFLIX, BUNIM-MURRAY  
16 PRODUCTIONS, JIMMY KIMMEL  
17 LIVE!, KMPH FOX NEWS,  
18 EBAUMSWORLD, FULTON 55,  
19 RAWTV, COLETTE CAMDEN, BRAD  
20 MULCAHY, ALEX AGUIRRE,  
21 CARTER HARRIS, JEFF STRICKER,  
22 GABRIEL SANCHEZ, TONY MARTIN,  
23 LISA SAMSKY, JENSEN RUFÉ,  
24 SALLY BRINDLE, ROB MILLER,  
25 JOHN DOE 1, JOHN DOE 2, JOHN  
26 DOE 3, JOHN DOE 4, JOHN DOE 5,  
27 JOHN DOE 6, JOHN DOE 7, JOHN  
28 DOE 8, JOHN DOE 9, JANE DOE 1,  
JANE DOE 2, JANE DOE 3, JANE DOE  
4, JANE DOE 5,

Defendants.

Case No. 2:23-cv-01195-JLS-SK

**[PROPOSED] ORDER GRANTING  
MOTION OF DEFENDANT  
NETFLIX, INC. TO RECOVER  
FEES PURSUANT TO C.C.P. §  
425.16(c)**

1 Defendant Netflix, Inc. (“Netflix”) filed a Motion for Attorneys’ Fees,  
2 pursuant to the mandatory fee-shifting provision of California Code of Civil  
3 Procedure § 425.16 (“C.C.P.”), for an order that Plaintiff Caleb “Kai” McGillvary  
4 must reimburse Netflix for its attorneys’ fees incurred in defending this action.  
5 Having reviewed and considered the motion and all other papers and argument, and  
6 good cause appearing, the Motion is **GRANTED**.

7 The Court finds that Netflix is entitled to recover its reasonable  
8 attorneys’ fees and costs on the grounds that the Court previously granted  
9 Netflix’s special motion to strike under Section 425.16, which provides that “a  
10 prevailing defendant on a special motion to strike shall be entitled to recover that  
11 defendant’s attorney’s fees and costs.” C.C.P. § 425.16(c).

12 The Court also finds that Netflix’s fee request, including its counsel’s billing  
13 rates and hours worked, is reasonable.

14 Accordingly, Plaintiff Caleb “Kai” McGillvary is **HEREBY ORDERED** to  
15 pay \$55,809.00 in attorneys’ fees to Netflix within 30 days of entry of this Order.  
16 **IT IS SO ORDERED.**

17  
18 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Hon. Josephine L. Staton  
United States District Judge